



Charlie Crist
Governor

Ana M. Viamonte Ros, M.D., MPH
State Surgeon General

MINUTES
PUBLIC PORTION OF THE
SOUTH PROBABLE CAUSE AGENDA
BOARD OF MEDICINE
SCHEDULED FOR June 18, 2010

Toll Free Number- 1-888-808-6959, Conference Code Number- 2454131.

Fuad Ashkar, M.D., Chairman, called the public portion of the meeting of the Probable Cause Panel to order at 2:00 P.M. Those present for the meeting included the following:

Members Present:

Fuad Ashkar, M.D. – Chairperson
Fred Bearison, M.D. – Panel Member
Bradley Levine – Panel Member
Jeffrey Hulley, P.A. – Panel Member

Others Present included:

Ed Tellechea, Esq., Assistant Attorney General & Board Counsel
Shirley Bates, Esq., Assistant General Counsel, Department of Health
Thomas Dickens, Attorney, Department of Health
Diane Kiesling, Attorney, Department of Health
Michael San Fillipo, Attorney, Department of Health
Kristen Griswaold, Attorney, Department of Health
Sharmin Hibbert, Attorney, Department of Health
Greg Marr, Attorney, Department of Health
Susan Salamy, Attorney, Department of Health
David Pius, Attorney, Department of Health

Court Reporter: For the Record (850) 222-5491; FAX (850) 224-5316

Opening Remarks:

Mr. Tellechea, Assistant Attorney General, advised the panel if they have questions concerning the medical Practice Act, Chapter 458, Chapter 456, Florida Statutes or Rules of the Board to direct those questions to him. If the panel members have questions regarding the investigation and the facts of the investigation or how the investigation was handled, those questions should be directed to the prosecuting attorney. Mr. Tellechea asked the panel what material they have been provided. Ms. Shirley Bates stated that the entire investigative files have been made available to the panel members and Counsel to the Board and other documents that are pertinent to the file including draft proposed administrative complaints and closing orders. Mr. Tellechea asked the panel members if they had received the materials and had sufficient time to review the materials on the agenda prior to now. The panel members answered in the affirmative.

Mr. Tellechea asked that this statement be supplied with any request for copies of transcripts. Mr. Tellechea concluded the opening remarks of the public portion of the meeting. Mr. Tellechea asked that this statement be supplied with any request for copies of transcripts. Mr. Tellechea concluded the opening remarks for the public and confidential portions of the meeting.

within 30 days of action taken against the physician's license to practice medicine in another jurisdiction. On March 31, 2010, Respondent faxed proof to the Department that he had timely notified the Department of his New York discipline, thereby nullifying the (kk) violation charged in the original Administrative Complaint. The Department presented the new information to the Panel and requested that the Panel accept the Amended Administrative Complaint with one count for violation of 458.331(1)(b). The panel discussed the circumstances of the case and amendment of the Administrative Complaint.

Following discussion, the panel voted to accept the Amended Administrative Complaint.

Action taken: Amended Administrative Complaint accepted

The meeting adjourned at 2:20 p.m.